

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 10-0455 WHA

Plaintiff,

v.

MARCEL DARON KING,

**ORDER RE EVIDENTIARY
HEARING**

Defendant.

Subject to further argument, both sides should be prepared to pursue the following proceedings tomorrow:

1. The government will be allowed to play the video of the complaining witness with defendant and defense counsel present;
2. The Evidentiary Interview Report by the Children's Assessment Center will be received into evidence;
3. The government will be allowed to present any additional evidence;
4. Defendant shall present his defense, if any;
5. The Court will make a determination as to whether to interview the victim in chambers using questions submitted by defense counsel (in the presence of defense counsel but possibly not defendant);

1 The possibility remains that the interests of justice may require the victim to testify in
2 court subject to cross-examination in the presence of defendant.

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4 **IT IS SO ORDERED.**

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6 Dated: July 12, 2016.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE